

UNITED STATES OF AMERICA,

Plaintiff,

vs.

38 CARTONS OF SURVEILLANCE
EQUIPMENT CAMERAS AND HD SERIAL
NETWORK DIGITAL VIDEO
RECORDERS,

Defendants.

LEVON TER-PETROSYAN,

Claimant.

Plaintiff United States of America (the "government") and claimant Levon Ter-Petrosyan ("Ter-Petrosyan") have entered into a stipulated request for the entry of this consent judgment of forfeiture, resolving all interests Ter-Petrosyan may have in the defendants, namely, 38 Cartons of Surveillance Equipment Cameras and HD Serial Network Digital Video Recorders ("defendant assets").

1 This civil forfeiture action was commenced on June 16, 2017
2 against the defendant assets. Notice was given and published
3 according to law. Claimant Levon Ter-Petrosyan filed a verified
4 answer on July 28, 2017 (Dkt. 13), which the Court deems to be a
5 claim pursuant to the stipulation of the parties. No other
6 claims or answers were filed, and the time for filing claims and
7 answers has expired. Based upon the parties' Stipulation and
8 Request to Enter Consent Judgment (Dkt. __) and good cause
9 appearing therefor, the Court hereby **ORDERS, ADJUDGES AND**
10 **DECREEES** that:

11 A. Ter-Petrosyan shall manipulate the defendant assets by
12 removing and/or obliterating any and all references or marks
13 resembling or infringing on the Apple, Blackberry, and/or
14 Windows trademarks found on the defendant assets or its
15 packaging, by using permanent marker to cover said marks. The
16 permanent marking shall cover any and all references or marks
17 specifically related to any and all "Apple," "Safari," "Safri,"
18 "Bluetooth," and "Windows" images or wordmarks. All
19 manipulation must be completed to the satisfaction of U.S.
20 Customs and Border Protection ("CBP"), which may request that
21 random samples of the defendant assets be reviewed for
22 compliance. Manipulation will take place under the supervision
23 of CBP's defendant assets contractor, and at the sole expense of
24 Ter-Petrosyan. Ter-Petrosyan must pay any and all charges
25 incurred in manipulating the defendant assets to CBP's defendant
26 assets contractor upon demand.

27 B. Prior to manipulation, Ter-Petrosyan shall complete
28 CBP Form 3499 ("Application and Approval to Manipulate Goods"),

1 describing the specifics of the manipulation process, and file
2 the completed form with CBP. Upon approval of the form, CPB
3 will forward the form and a disposition order to its defendant
4 assets contractor. The defendant assets contractor shall in
5 turn contact Ter-Petrosyan to schedule an appointment for the
6 manipulation.

7 C. Ter-Petrosyan shall pay to CBP's defendant assets
8 contractor all seizure and storage-related costs and charges to
9 secure release of the defendant assets. If Ter-Petrosyan
10 completes the manipulation required by Paragraph A within 90
11 days of the entry of the consent judgment, storage-related
12 charges shall not exceed \$100. These payments are due and owed
13 by Ter-Petrosyan at the time he (or his designated
14 representative) takes possession of the defendant assets.

15 D. Upon receipt of proof of Ter-Petrosyan's satisfactory
16 completion of the requirements set forth in paragraphs "A"
17 through "C", CBP shall notify its defendant assets contractor
18 that the defendant assets may be released for importation
19 subject to the terms of release as specified herein.

20 E. Ter-Petrosyan shall complete the requirements set
21 forth herein within 90 days of the entry of this Consent
22 Judgment, absent any agreed upon extension approved by the
23 Court. If Ter-Petrosyan fails to meet these requirements within
24 the 90-day deadline, he shall be deemed to have relinquished all
25 right, title, and interest in the defendant assets, including
26 any payments submitted pursuant to paragraph "C" herein and the
27 bond posted by Ter-Petrosyan pursuant to CF Form 301 on or about
28 January 8, 2014, concerning the defendant assets in FP&F case

1 number 2013-2704-001474. Ter-Petrosyan has waived his right to
2 any further notice regarding the disposition of the defendant
3 assets. In the event of forfeiture pursuant to this paragraph,
4 CBP may dispose of the defendant assets pursuant to law.

5 F. Upon timely satisfaction of paragraphs "A" through
6 "E", CBP shall promptly initiate the return of the surety bond
7 described in paragraph "E", without interest, to Ter-Petrosyan
8 at 6556 Van Noord Ave., North Hollywood, California 91606.

9 G. Ter-Petrosyan has withdrawn his request to proceed by
10 judicial forfeiture in FP&F case number 2013-2704-001474.

11 H. Ter-Petrosyan has waived and relinquished all rights
12 to judicial review of the seizure of the defendant assets. The
13 Court finds that the government had probable cause for the
14 seizure of the defendant assets, but that Ter-Petrosyan does not
15 concede the allegations of intellectual property rights
16 violations set forth in the complaint filed in this action.

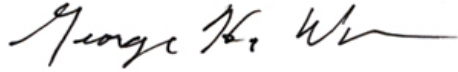
17 I. The government and Ter-Petrosyan shall bear their
18 respective costs and attorneys' fees, and Ter-Petrosyan has
19 waived any right to any appeal of this action.

20 J. This consent judgment shall be construed as a
21 certificate of reasonable cause pursuant to 28 U.S.C. § 2465.

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1 K. The Court shall maintain jurisdiction in this case for
2 the purpose of effectuating the terms of this Consent Judgment
3 of Forfeiture.

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5 DATED: April 25, 2018



6 GEORGE H. WU, U.S. DISTRICT JUDGE

7 Presented by:

8 NICOLA T. HANNA
9 United States Attorney
10 LAWRENCE S. MIDDLETON
11 Assistant United States Attorney
12 Chief, Criminal Division
13 STEVEN R. WELK
14 Assistant United States Attorney
15 Chief, Asset Forfeiture Section

16
17 /s/ Frank D. Kortum
18 FRANK D. KORTUM
19 Assistant United States Attorney

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21 Attorney for Plaintiff
22 UNITED STATES OF AMERICA
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